

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SANTA BARBARA REZONING CERTAIN PROPERTY AND
APPROVING A LOCAL COASTAL PROGRAM
AMENDMENT FOR AN APPLICATION OF OLIVE OIL &
GAS LP, 1298 COAST VILLAGE ROAD (MST2004-00493)

WHEREAS, the City accepted an application from Lenvik & Minor, Agent for Olive Oil & Gas LP, in order to process a request for a rezone and related Local Coastal Program Amendment to rezone a portion of the property located at 1298 Coast Village Road from R-2/S-D-3, Two-Family Residential and Coastal Overlay Zones, to C-1/S-D-3, Limited Commercial and Coastal Overlay Zones, and redevelop the property by demolishing the existing service station and constructing a mixed use project including 5,000 square feet of commercial space and eight residential condominiums and related parking, all requiring approval of Modifications, Tentative Subdivision Map and Coastal Development Permit;

WHEREAS, the Planning Commission initiated the rezone and Local Coastal Program Amendment for the subject parcel on April 7, 2005;

WHEREAS, the Architectural Board of Review held a concept project review on November 14, 2005;

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WHEREAS, the Planning Commission held a concept project review work session on February 16, 2006;

WHEREAS, the Planning Commission held a duly noticed public period to receive comments on the Draft Mitigated Negative Declaration from November 14, 2007 to December 13, 2007, and took comments from two (2) people;

WHEREAS, the Planning Commission held a duly noticed public hearing to consider the Project on March 13, 2008, and 73 people spoke regarding the Project. After substantial discussion, the Planning Commission continued its consideration until March 20, 2008 to review information received and make a decision on the project;

WHEREAS, on March 20, 2008, Planning Commission approved the project, made recommendations to City Council to approve the rezone and related Local Coastal Program amendment and adopted environmental findings pursuant to CEQA;

WHEREAS, the City Council has received and accepted a proposed amendment to the current Zoning Map and Local Coastal Program;

WHEREAS, the City Council has reviewed and considered all materials and exhibits in the current record relative to this amendment, including the adopted Mitigated Negative Declaration, the project, and all staff reports.

WHEREAS, on March 28, 2008 John and Sandy Wallace and Save Coast Village Road appealed the Planning Commission approval of the project and on March 31, 2008 Friends of Outer State Street and Delfina Mott also appealed the Planning Commission approval of the project;

WHEREAS, on July 15, 2008, the City Council held a duly noticed public hearing on the appeal. After the public hearing, the City Council denied the appeal and adopted the Mitigated Negative Declaration, including incorporation of the mitigation measures into the project conditions of approval;

WHEREAS, the City Council held a duly noticed public hearing on July 15, 2008 to consider a Local Coastal Program amendment proposed in conjunction with the project, and concluded that the Local Coastal Program amendment is consistent with the goals and objectives of the City's General and Local Coastal Plans; and

WHEREAS, the City Council has conducted a duly noticed public hearing pursuant to the provisions of Chapter 3, Title 7 of the Government Code of the State of California.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA BARBARA does hereby ordain as follows:

SECTION ONE. LOCAL COASTAL PROGRAM AMENDMENT.

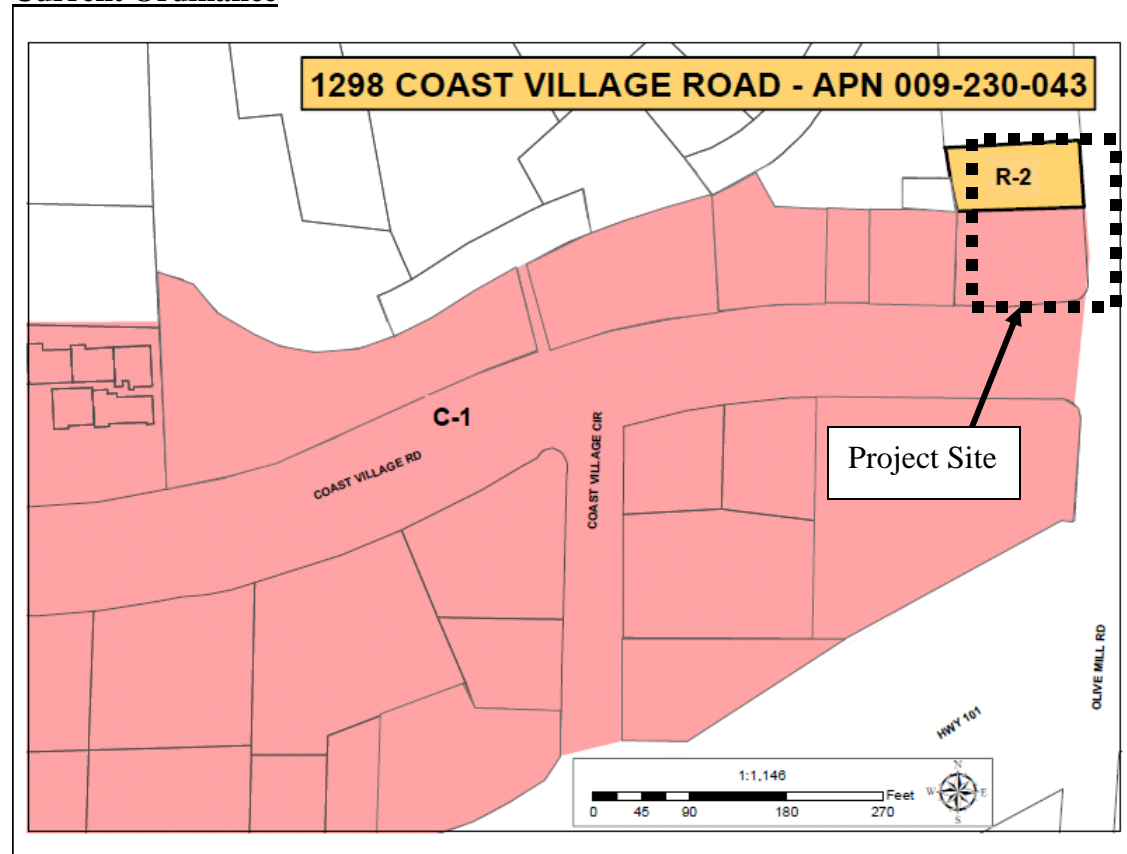
The Local Coastal Program of the City of Santa Barbara is amended to rezone the northerly portion of APN 009-230-043 to C-1/S-D-3 (Limited Commercial/ Coastal Overlay Zone). Said amendment shall be effective immediately upon California Coastal Commission certification of said amendment.

SECTION TWO. Zoning Map Amendment

A. Effective thirty (30) days after Coastal Commission Certification of the Local Coastal Program Amendment for a portion of Assessors Parcel Number 009-230-043, the Sectional Zone Map SA04 of Chapter 28.12, Zone Map of the Santa Barbara Municipal Code, is amended by changing the zoning of said property to C-1/S-D-3, Limited Commercial and Coastal Zone Overlay, as depicted on the map attached hereto as Exhibit A.

B. This amendment is consistent with the policies of the California Coastal Act. This amendment is consistent with the City of Santa Barbara Local Coastal Plan Map. This amendment is consistent with the Chapter 3 (commencing with Section 30200) Policies of the Coastal Act regarding public access and public recreation, because there will be no change in coastal access and minimal effects on public recreation.

Current Ordinance



Proposed Ordinance

